

09/06-WV

1295362-001

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MEMORANDUM OF OIL AND GAS LEASE

This Memorandum of Oil and Gas Lease is made and entered into this 15th day of December, 2009 by and between Kenneth L. McNinch, single, whose address is 1824 Walnut Grove Road Wheeling, WV, 26003 (hereinafter called "Lessor"), and Chesapeake Appalachia, L.L.C., whose address is P.O. Box 6070, Charleston, West Virginia 25362-0070 (hereinafter called "Lessee").

WITNESSETH

For and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, and other good and valuable consideration, Lessor did make and execute in favor of Lessee an Oil and Gas Lease dated 12/15/2009, and made effective 12/15/2009, which provides for a Five year primary term and an option to renew for an additional Five (5) year term covering Lessor's interest in the following described lands:

Tax Map No: 1 Parcel 14

bounded formerly or currently as follows:

On the North by lands of: M. Coffield; P. Lenz; J. Litman

On the East by lands of: J. Litman

On the South by lands of: C. Giza; V. Miller

On the West by lands of: P. Malarski

Containing 39.037 acres and located in the District of Sandhill, Marshall County, State of West Virginia, for the purpose of drilling, operating for, producing and removing oil and gas and all the constituents thereof. Said lands were conveyed to Lessor by virtue of deed dated 6/18/1957 and recorded in said County and State in Book 322, Page 242.

This Memorandum of Oil and Gas Lease is being made and filed for the purpose of giving third parties notice of the existence of the Lease described above. The execution, delivery and recordation of this Memorandum of Oil and Gas Lease shall have no effect upon, and is not intended as an amendment of the terms and conditions of the Lease. It is the intent of the Lessor to lease all of Lessor's interest in and to the properties described herein, whether or not the tracts recited herein are properly described, and further it is understood this lease includes all rights owned by the Lessor in the properties described herein.

IN WITNESS WHEREOF this Memorandum of Oil and Gas Lease is executed as of the date first above written.

WITNESS:

LESSOR:

Kenneth L. McNinch
Kenneth L. McNinch

ACKNOWLEDGEMENT

State of WEST VIRGINIA:

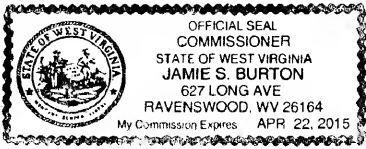
County of MARSHALL:

On December 15th, 2009 before me, the undersigned authority in and for said State, personally appeared Kenneth L. McNinch, single, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

My commission expires April 23, 2015

Signature / Notary Public Jamie S. Burton

Name / Notary Public (print) Jamie S. Burton



This instrument prepared by: Chesapeake Appalachia, LLC, P. O. Box 6070, Charleston, WV 25362-0070

WITNESS:

CHESAPEAKE APPALACHIA, L.L.C.:
An Oklahoma limited liability company

Holly Freeman

Lester A. Zitkus
By: Lester A. Zitkus
Its: Vice President - Land, Eastern Division

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

On this the 5th day of March, 20 10, before me, a notary public, the undersigned officer, personally appeared **Lester A. Zitkus**, who acknowledged himself to be the **Vice President - Land, Eastern Division of Chesapeake Appalachia, L.L.C., an Oklahoma limited liability company**, and that he as such **Vice President - Land, Eastern Division**, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the company by himself as **Vice President - Land, Eastern Division**.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Signature/Notary Public: Holly Freeman
Name/Notary Public (print): _____
My Commission Expires: _____



Recorder: Return to Chesapeake Appalachia, L.L.C., Land Dept., 6100 N. Western Avenue, Oklahoma City, OK 73118

Jan Pest
MARSHALL County 02:01:10 PM
Instrument No 1283083
Date Recorded 03/18/2010
Document Type O&G
Pages Recorded 2
Book-Page 697-61
Recording Fee \$5.00
Additional \$6.00

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 15th day of December 2009 was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 18th day of March, 2010 at 2:01 o'clock P.M.

TESTE: Jan Pest Clerk.